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15 UNITED STATES DISTRICT COURT  
16 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
17 WESTERN DIVISION

18 UNITED STATES *ex rel.* SINGH,  
19 Plaintiff,  
20 v.  
21 PAKSN, INC., *et al.*,  
22 Defendants.

No. CV 15-09064 SB (AGR<sub>x</sub>)

**UNOPPOSED REQUEST FOR STAY  
OF PROCEEDINGS**

Trial Date: Nov. 20, 2023

Honorable Stanley Blumenfeld, Jr.  
United States District Judge  
Courtroom 6C

1 This Joint Stipulation and request is made and entered into by and between  
2 Plaintiff United States and Defendants Prema Thekkek, Paksn, Inc., Kayal, Inc., Nadhi,  
3 Inc., Oakrheem, Inc., Bayview Care, Inc., Thekkek Health Services, Inc., Aakash, Inc.,  
4 and Nasaky, Inc. (collectively, the “parties”), by and through their respective counsel, as  
5 follows. Plaintiff-Relator takes no position as to this request.

6 From June to August 2023, the United States and Defendants have been engaged  
7 in settlement discussions, culminating in a handshake agreement as of September 1,  
8 2023. *See* ECF Nos. 427, 430, 433, 436. That agreement contemplates that the parties  
9 will resolve this matter as follows: The parties will file a consent judgment with the  
10 Court and certain Defendants will make scheduled payments to the United States over  
11 the next five years. Before being able to finalize that agreement, however, undersigned  
12 government counsel will need to secure the necessary authority from within the U.S.  
13 Department of Justice, U.S. Attorney’s Office, and U.S. Department of Health and  
14 Human Services – Office of Inspector General. In addition, the United States and  
15 Defendants will need to draft the precise language of their settlement agreement. They  
16 intend to do so with the highest priority and expedience.

17 Additionally, and in the meantime, Relator plans to challenge and seek a fairness  
18 hearing concerning the proposed settlement pursuant to 31 U.S.C. § 3730(c)(2)(B), and  
19 to seek discovery relating to such a fairness hearing. Specifically, Relator does not  
20 believe the proposed settlement is “fair, adequate, and reasonable” under section  
21 3730(c)(2)(B), and seeks discovery of the financial disclosures that Defendants  
22 submitted to the United States for purposes of analyzing Defendants’ financial condition.  
23 Magistrate Judge Alicia Rosenberg, who has been closely involved with this case  
24 throughout discovery and who has facilitated the parties’ settlement discussions through  
25 three settlement conferences, has scheduled a fourth conference on September 5 at  
26 11:00am PT to discuss Relator’s concerns.

27 The parties respectfully propose that the Court stay these proceedings in order for  
28 the Parties to do the following concurrently and in parallel: (1) the United States to seek

1 the necessary settlement authority; (2) the United States and Defendants to negotiate and  
 2 draft the language of their settlement agreement; (3) Judge Rosenberg to attempt to  
 3 mediate the concerns Relator has raised with respect to the fairness of the proposed  
 4 settlement and discovery into Defendants' financial submissions; and (4) Relator to file  
 5 motions concerning his fairness objections and request for discovery of Defendants'  
 6 financial disclosures, to the extent he still wishes to do so.<sup>1</sup>

7 If granted, the requested stay would allow the parties to focus on settling this case  
 8 and avoid expending the substantial resources necessary to continue preparing this case  
 9 for trial, especially in view of Defendants' limited financial capacity. Specifically, in  
 10 light of the existing November 20 trial date, and pursuant to L.R. 16-2 and this Court's  
 11 Civil Standing Order, the parties tentatively agreed to conduct their pretrial conference  
 12 among counsel next week, on September 7. The parties respectfully request that, as part  
 13 of a stay of proceedings, the Court stay existing deadlines, including the deadline for the  
 14 L.R. 16-2 conference and the September 8 settlement conference hearing. The requested  
 15 stay would also allow for the conservation of judicial resources, to the extent the Court  
 16 would think it necessary to rule on the parties' pending summary judgment motions and  
 17 any pretrial submissions under the current trial schedule.

18 The parties respectfully propose that, in the event the Court grants the requested  
 19 stay, they will file joint reports every two weeks (beginning on September 15), or more  
 20 frequently if desired by the Court, to update the Court on their progress in the  
 21 above-described activities.

22  
 23 *Local Rule 5-4.3.4(a)(2)(i) Compliance: Filer attests that all other signatories*  
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 26 <sup>1</sup> As this is a motion to stay proceedings to allow the parties to engage in the  
 27 above-described post-handshake activities, rather than a motion to continue deadlines to  
 28 allow the parties to engage in litigation activities that previously could have been  
 pursued (e.g., fact or expert discovery), the parties do not construe the Court's  
 procedural requirements for seeking a continuance as applicable. The parties of course  
 will submit promptly any additional information that the Court would find relevant to  
 this request.

1 *listed concur in the filing's content and have authorized this filing.*

2  
3  
4 Dated: September 1, 2023

Respectfully submitted,

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Principal Deputy Assistant Attorney General

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United States Attorney

7 /s/ Jessica M. Sarkis  
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18  
19 Dated: September 1, 2023

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22 /s/ Matthew Coman

23 *Attorneys for Plaintiff-Relator Trilochan Singh*

1 Dated: September 1, 2023

2 NAOMI CHUNG  
3 BRENDAN HICKEY  
4 Hickey & Chung LLP

5 /s/ Naomi Chung

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7 *Inc., Kayal, Inc., Nadhi, Inc., Oakrheem, Inc.,*  
8 *Bayview Care, Inc., Thekkek Health Services, Inc.,*  
9 *Aakash, Inc., and Nasaky, Inc.*  
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